

01-607-CD  
J. J. POWELL, INC. -vs- LAFFERTY TRUCKING COMPANY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

CIVIL ACTION - LAW

J. J. POWELL, INC.,

NO. 2001-607-C0

Plaintiff

vs.

LAFFERTY TRUCKING COMPANY

Defendant

TYPE OF PLEADING: COMPLAINT

FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD FOR  
THIS PARTY:

David C. Mason, Esquire  
MASON LAW OFFICE  
409 North Front Street  
P.O. Box 28  
Philipsburg, PA 16866  
814-342-2240  
I.D. No. 39180

**FILED**

APR 30 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

CIVIL ACTION - LAW

J. J. POWELL, INC.,

\*  
\*  
\* NO.

Plaintiff

\*

vs.

\*

LAFFERTY TRUCKING COMPANY

\*

Defendant

\*

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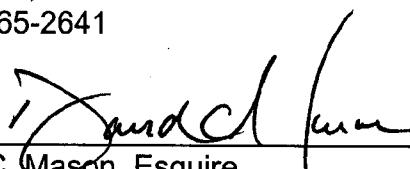
\*

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE AN LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

  
\_\_\_\_\_  
David C. Mason, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

CIVIL ACTION - LAW

J. J. POWELL, INC.,

\*  
\*  
\* NO.

Plaintiff

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vs.

LAFFERTY TRUCKING COMPANY

Defendant

COMPLAINT

AND NOW, comes the Plaintiff, **J.J. POWELL, INC.**, by and through its attorney, **DAVID C. MASON, ESQUIRE** and makes the following Complaint against the Defendant, and in support thereof avers as follows:

1. Plaintiff is **J.J. POWELL, INC.**, is a Pennsylvania business corporation located at Presqueisle Street, Borough of Chester Hill, Clearfield County, Pennsylvania, 16866.
2. Defendant **LAFFERTY TRUCKING COMPANY** is a Pennsylvania business corporation with a mailing address of 3709 Beale Avenue, Blair County, Altoona, Pennsylvania, 16601.
3. At all times material and relevant hereto, Plaintiff was involved in the business of selling and distributing wholesale petroleum products and the retail sale of gasoline, diesel fuel and kerosene.

4. On or about May 28, 1999, Defendant signed a request for credit with the said Plaintiff, a photocopy of which is attached hereto as Exhibit "A", and incorporated herein by reference.

5. Pursuant to the terms of the Credit Agreement, payment is due within thirty (30) days following the date of this statement, and a 1.50% finance charge will be applied to any unpaid balance after said thirty (30) day period.

6. Defendant **LAFFERTY TRUCKING COMPANY**, requested that Plaintiff provide it with diesel fuel and other petroleum products in the course of the operation of their business. Plaintiff provided said fuels and products to Defendant.

7. The total amount of said credit account due and owing on March 28, 2001, is \$38,747.16.

8. Defendant's last payment on this account was on March 9, 2001, in the amount of \$1,192.50.

9. Despite Plaintiff's repeated requests for payment, Defendants have failed and refused and continues to fail and refuse to make any payment whatsoever on the above referenced purchase.

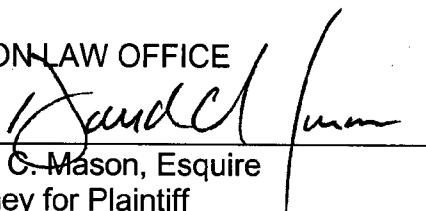
10. The interest on this account pursuant to the Credit Agreement will continue to be added to the principal in the amount of 1.5% per month.

11. In addition, the terms of the credit application permit the Defendant to be charged "reasonable fees of attorney or collection agency for services in collecting balances owned".

12. Plaintiff has retained David C. Mason, Attorney to prosecute this collection action and has agreed to pay \$125.00 per hour.

**WHEREFORE**, Plaintiff demands that judgment be entered in its favor and against the Defendant, in the amount of \$38,747.16, plus interest at the rate of 18% per annum, plus attorneys fees and costs of suit.

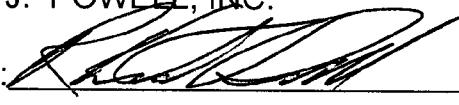
MASON LAW OFFICE

  
\_\_\_\_\_  
David C. Mason, Esquire  
Attorney for Plaintiff

**VERIFICATION**

I hereby verify that the answers set forth in the foregoing COMPLAINT are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

J. J. POWELL, INC.

By: 

DATED: 4-20-01



WING  
Date of Application May 28, 1999

Name of Company Lafferty Trucking Company Business Phone (814) 943-1151  
Street Address 3709 Beale Avenue Fax Number (814) 944-7553  
City, State, Zip Altoona, PA 16601 Mobile Phone ( )  
Type of Business Trucking Co. Years in Business 1 County Blair

P.O. Box 30  
Philipsburg, PA  
16861  
814-342-3190  
800-432-0868  
814-342-5483 (fax)

Sales Tax Exempt Number 19193 Federal ID # 25-1192790

Check One:  Corporation  Partnership  Sole Proprietorship  
 Individual  Government  LLC  LLP

Credit Amount Requested \$20,000.00 Initial Order       

Type of Purchase Control System: Purchase Order Only  Phone  Contracts  
If other, please specify and list names of persons authorized:       

**NAMES OF OFFICERS/OWNERS:**

225 Boyer St.  
Clearfield, PA  
16830  
814-765-8730

Name Andrew LAFFERTY Title CEO % of Ownership       

Address        City, State, Zip       

Social Security #        Home Phone       

Former/Present Affiliated Companies:       

How Related:       

Pending Litigation?        If yes, Details       

Ever Filed Bankruptcy? No If yes, Date and State       

Name        Title        % of Ownership       

Address        City, State, Zip       

Social Security #        Home Phone       

Former/Present Affiliated Companies:       

How Related:       

Pending Litigation?        If yes, Details       

jpowell.com

PHONE NO. : 814 342 6485

May, 28 1999 05:25AM P2

FROM : jf-POWELL

Exhibit "A"

fax

Credit And Trade References:

<u>VALLEY TIRE</u>	<u>696-7475</u>	<u>696 7490</u>
NAME	ADDRESS	ACCT. NO.
<u>BALANCE DUE</u>	<u>PHONE/FAX NO.</u>	<u>CONTACT PERSON</u>
<u>TTT</u>	<u>696 9330</u>	<u>696 - 9330</u>
NAME	ADDRESS	ACCT. NO.
<u>BALANCE DUE</u>	<u>PHONE/FAX NO.</u>	<u>CONTACT PERSON</u>
<u>CRESSON MOTORS</u>	<u>886 8135</u>	<u>886 - 8137</u>
NAME	ADDRESS	ACCT. NO.
<u>BALANCE DUE</u>	<u>PHONE/FAX NO.</u>	<u>CONTACT PERSON</u>
Bank: _____	Branch: _____	Cke. Acct # _____
Contact Person: _____	Phone # _____	Loan # _____

The information contained in this Application is provided for the purpose of obtaining or maintaining credit with you. The under-signed understands that you are relying on the information provided herein in deciding to grant or continue credit. The undersigned represents and warrants that the information provided is true and complete and that you may consider it as continuing to be true and correct until a written notice of a change is given to you by the undersigned. You are authorized to make all inquiries you deem necessary to verify the accuracy of the statements made herein to determine my credit-worthiness. The undersigned hereby agrees that any disputes arising out of this agreement or goods and merchandise ordered or delivered pursuant hereto will be governed and settled under applicable principles of Pennsylvania law, under jurisdiction of Pennsylvania Courts and that venue in any such action shall be in the County of \_\_\_\_\_.

NOTE: It is understood by signing this application I am acknowledging and accepting that a service charge will be added to past due invoices each month in the amount of 1.5% (annual rate 18.00%). Customer agrees to pay all costs of collection, including Attorneys Fees. Merchandise may not be returned without prior authorization of \_\_\_\_\_.

By signing this application, I acknowledge that I have read and understand the terms of sale, and agree to abide by them.

Signed: Michael J. Lafferty  
Full Company Name

LAFFERTY TRUCKING -

Date Signed: 5-28-99

By: \_\_\_\_\_

Title: CEO

OFFICE USE ONLY:

Date Received: \_\_\_\_\_  
 Approved By: \_\_\_\_\_  
 Declined By: \_\_\_\_\_  
 Reason: \_\_\_\_\_  
 Acct Code D/T # \_\_\_\_\_

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10954

J.J. POWELL, INC.

01-607-CD

VS.

LAFFERTY TRUCKING COMPANY

COMPLAINT

SHERIFF RETURNS

NOW APRIL 30, 2001, LARRY FIELD, SHERIFF OF BLAIR COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON LAFFERTY TRUCKING COMPANY, DEFENDANT.

NOW MAY 3, 2001 SERVED THE WITHIN COMPLAINT ON LAFFERTY TRUCKING COMPANY, DEFENDANT BY DEPUTIZING THE SHERIFF OF BLAIR COUNTY. THE RETURN OF SHERIFF FIELD IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED KATHY FEDESCO, OFFICE MGR.

---

Return Costs

Cost      Description

27.89 SHFF. HAWKINS PAID BY: ATTY.

29.50 SHFF. FIELD PAID BY: ATTY.

10.00 SURCHARGE PAID BY: ATTY.

FILED

MAY 18 2001  
01230 pm  
William A. Shaw  
Prothonotary

Sworn to Before Me This

18th Day Of May 2001  
*Wm. A. Shaw*

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co. Clearfield, PA.

So Answers,

*Chester Hawkins*  
by *Marilyn Hays*  
Chester A. Hawkins  
Sheriff

DATE RECEIVED

DATE PROCESSED

154  
V  
SHERIFF'S DEPARTMENT

60055

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648SHERIFF SERVICE  
PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV. #

1. PLAINTIFF / S /

2. COURT NUMBER

01-607-CO

3. DEFENDANT / S /

4. TYPE OF WRIT OR COMPLAINT

Complaint

SERVE

5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.

AT {

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

3709 Beale Ave. Altoona

7. INDICATE UNUSUAL SERVICE:

 PERSONAL  PERSON IN CHARGE  DEPUTIZE  CERT. MAIL  REGISTERED MAIL  POSTED  OTHER

NOW, \_\_\_\_\_, I, SHERIFF OF BLAIR COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of:

Mason Law Office

 PLAINTIFF  
 DEFENDANT

10. TELEPHONE NUMBER

11. DATE

## SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.

SIGNATURE of Authorized BCSD Deputy or Clerk and Title

13. Date Received

14. Expiration/Hearing date

15. I hereby CERTIFY and RETURN that I  have personally served,  have served person in charge,  have legal evidence of service as shown in "Remarks" (on reverse)  have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing or posting a TRUE and ATTESTED COPY thereof.16.  I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

17. Name and title of individual served

Kathy Fedesco (Office Mgr)

18. A person of suitable age and discretion then residing in the defendant's usual place of abode.

Read Order  

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

20. Date of Service

21. Time

22. ATTEMPTS

Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int.

5-3-01 2:00 PM

23. Advance Costs

24. Date

25. Date

26. Date

27. Total Costs

28. COST DUE OR REFUND

29. Date

30. REMARKS

29.50

120.50

AFFIRMED and subscribed to before me this

8th

SO ANSWER.

day of

May 2001  
Carol Greco

By (Sheriff/Deputy Sheriff) (Please Print or Type)

W. S. E. D. T. S.

Date

5-3-01

Signature of Sheriff

SHERIFF OF BLAIR COUNTY

MY COMMISSION EXPIRES

NOTARIAL SEAL  
Carol Greco, Notary Public  
Freedom Twp., Blair County  
My Commission Expires Feb. 3, 2003

I ACKNOWLEDGE RECEIPT OF THIS SHERIFF'S RETURN SIGNATURE OF AUTHORIZED ISSUING AUTHORITY AND TITLE

39. Date Received

**SHERIFF'S RETURN OF SERVICE**

( ) (1) The within \_\_\_\_\_ upon \_\_\_\_\_, the within named defendant by mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid \_\_\_\_\_ on the \_\_\_\_\_, a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_ defendant on the \_\_\_\_\_ is hereto attached and made part of this return.

( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and attested copy thereof at \_\_\_\_\_ in the following manner.

( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested, postage prepaid, addressee only on the \_\_\_\_\_ said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen ( 15 ) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

( ) (3) By publication in a daily publication of general circulation in the County of **Blair**, Commonwealth of Pennsylvania, \_\_\_\_\_ time (s) with publication appearing \_\_\_\_\_

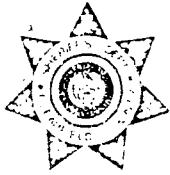
The affidavit from said publication is hereto attached.

( ) (4) By mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid, on the \_\_\_\_\_ a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal Authorities marked \_\_\_\_\_ is hereto attached.

( ) (5) Other \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CHESTER A. HAWKINS  
SHERIFF

**Sheriff's Office  
Clearfield County**

SUITE 116  
1 NORTH SECOND STREET - COURTHOUSE  
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641  
AFTER 4:00 P.M. (814) 765-1533

CLEARFIELD COUNTY FAX  
(814) 765-6089

DARLENE SHULTZ  
CHIEF DEPUTY

MARILYN HAMM  
DEPT. CLERK

MARGARET PUTT  
OFFICE MANAGER

PETER F. SMITH  
SOLICITOR

**DEPUTATION**

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA**

J.J. POWELL, INC.

NO. 01-607-CD

VS

**ACTION:** COMPLAINT

LAFFERTY TRUCKING COMPANY

**SERVE BY:** 5/30/01

Or

**HEARING DATE:**

**SERVE:** LAFFERTY TRUCKING COMPANY

**ADDRESS:** 3709 Beale Ave., Altoona, Pa. 16601

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF of BLAIR COUNTY Pennsylvania to execute this writ.

This Deputation being made at the request and risk of the Plaintiff this 30th day of APRIL 2001.

Respectfully,

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

**MAKE REFUND PAYABLE TO:** DAVID C. MASON, Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC.,

\*

\*

Plaintiff

\* No. 01-607-CD

\*

\*

VS.

\*

\*

LAFFERTY TRUCKING COMPANY

\*

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\*

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Defendant

\*

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\*

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\* TYPE OF CASE: Civil Action

\*

\* TYPE OF PLEADING: Praeclipe for Entry  
\* of Default Judgment

\*

\*

\*

\*

\*

\* FILED ON BEHALF OF:

\* Plaintiff

\*

\* COUNSEL OF RECORD FOR THIS

\* PARTY:

\*

\* David C. Mason, Esquire

\* Supreme Court I.D. 39180

\* Attorney at Law

\* P. O. Box 28

\* Philipsburg, PA 16866

\* (814) 342-2240

C:\Office\POWELL\LaffertyDefaultJudg.wpd\blb

FILED

JUN 11 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC.,

\*

\*

Plaintiff

\* No. 01-607-CD

\*

\*

vs.

\*

\*

LAFFERTY TRUCKING COMPANY

\*

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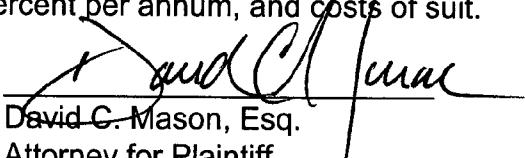
Defendant

\*

\*

**PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT**

Would you kindly enter a Default Judgment in the above captioned matter against the Defendant and in favor of the Plaintiff in the amount of **\$38,747.16**, plus interest since March 28, 2001, at the rate of eighteen (18%) percent per annum, and costs of suit.

  
\_\_\_\_\_  
David C. Mason, Esq.

Attorney for Plaintiff

I, DAVID C. MASON, Esquire, Attorney for Plaintiff in the captioned matter hereby certify that pursuant to Pa. Rules of Civil Procedure 237.1, I mailed to the Defendant under date of May 24, 2001, the Important Notice required by law. Ten (10) days have now passed since the mailing of this Important Notice, a copy of which is attached to this Praecipe for Entry of Default Judgment.

  
\_\_\_\_\_  
David C. Mason, Esq.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC.,

\* NO. 01-607-CD

Plaintiff

VS.

LAFFERTY TRUCKING COMPANY

Defendant

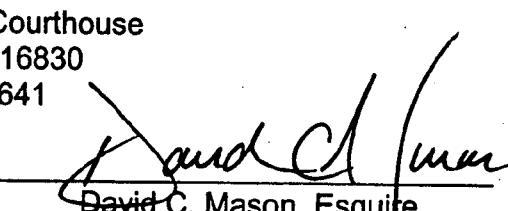
TO: LAFFERTY TRUCKING COMPANY  
3709 BEALE AVENUE  
ALTOONA, PA 16601

DATE OF NOTICE: May 24, 2001

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES AND OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

  
\_\_\_\_\_  
David C. Mason, Esquire  
Attorney for Plaintiff  
P.O. Box 28  
Philipsburg, PA 16866

FILED

Notice to

Def

07-5381

JUN 1 2001

Atty Mason

pd

20.00

Atty  
William A. Shaw  
Prothonotary  
Statement to

Atty

**COPY**

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

J. J. Powell, Inc.

Vs.

No. 2001-00607-CD

Lafferty Trucking Company

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$38,747.16 on the June 11, 2001.

William A. Shaw  
Prothonotary

---

William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
STATEMENT OF JUDGMENT

**COPY**

J. J. Powell, Inc.  
Plaintiff(s)

No.: 2001-00607-CD

Real Debt: \$38,747.16

Atty's Comm:

Vs.

Costs: \$

Int. From:

Lafferty Trucking Company  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 11, 2001

Expires: June 11, 2006

Certified from the record this 11th day of June, 2001.

---

William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

---

Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

CIVIL ACTION - LAW

**J.J. POWELL, INC.**

Plaintiff

vs.

**LAFFERTY TRUCKING COMPANY**

Defendant

\* NO. 2001-0607-CD

\* TYPE OF PLEADING:

\* Plaintiff's Interrogatories in Aid of  
Execution

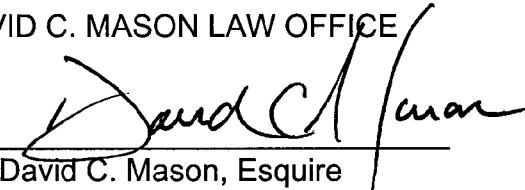
**CERTIFICATE OF SERVICE**

I, DAVID C. MASON, Esquire, do hereby certify that I served two (2) true and correct copies of PLAINTIFF'S INTERROGATORIES IN AID OF EXECUTION filed to the above captioned action, by placing the same in the United States mail, postage prepaid and addressed as follows:

Lafferty Trucking Company  
3709 Beale Avenue  
Altoona, PA 16601

DATED: 7-5-01

DAVID C. MASON LAW OFFICE

By: 

David C. Mason, Esquire  
Attorney for Defendants

**FILED**

JUL 06 2001  
09.07/100  
William A. Shaw  
Prothonotary

J.J. POWELL, INC.,  
Plaintiff,

vs.

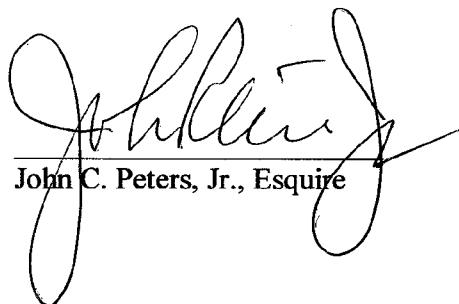
LAFFERTY TRUCKING COMPANY,  
Defendant.

: IN THE COURT OF COMMON  
: PLEAS OF CLEARFIELD COUNTY,  
: PENNSYLVANIA  
:  
: No. 2001-0607-CD  
:  
: CIVIL ACTION  
:

**CERTIFICATE of SERVICE**

On this 25 day of July, 2001, I, John C. Peters, Jr., Esquire, hereby  
certify that I sent a true and correct copy of the foregoing Entry of Appearance by United  
States first class mail, postage prepaid to:

David C. Mason, Esquire  
Mason Law Office  
409 N. Front Street  
P.O. Box 28  
Philipsburg, Pa. 16866



John C. Peters, Jr., Esquire

**FILED**

JUL 27 2001  
11:40 PM *no*  
William A. Shaw  
Prothonotary  
CC  
*ESX*

J.J. POWELL, INC.,  
Plaintiff,

vs.

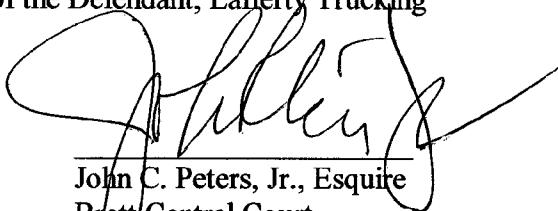
LAFFERTY TRUCKING COMPANY,  
Defendant.

: IN THE COURT OF COMMON  
: PLEAS OF CLEARFIELD COUNTY,  
: PENNSYLVANIA  
:  
: No. 2001-0607-CD  
:  
: CIVIL ACTION  
:

**ENTRY OF APPEARANCE**

To the Prothonotary:

Kindly enter my appearance on behalf of the Defendant, Lafferty Trucking Company, in the above action.



John C. Peters, Jr., Esquire  
Brett Central Court  
1216 Eleventh Avenue  
Altoona, Pa. 16601  
(814) 941-1116  
Pa. ID # 50065

**FILED**

JUL 27 2001  
m 11:40 pm no  
William A. Shaw  
Prothonotary CC  
E  
APB

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC.,	*
	* No. 2001-0607-CD
Plaintiff	*
vs.	*
LAFFERTY TRUCKING COMPANY	*
	*
Defendant	*
	*
HOLLIDAYSBURG TRUST COMPANY,	*
	*
Garnishee	*

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Please issue a Writ of Execution in the above matter,

- (1) directed to the Sheriff of Blair County;
- (2) against Lafferty Trucking Company, Defendant; and
- (3) against Hollidaysburg Trust Company, Garnishee
- (4) index this writ
  - (a) against Lafferty Trucking Company, Defendant and
  - (b) against Hollidaysburg Trust Company, Garnishee,
  - (c) against any and all personal property of the defendant and any cash or bank assets.

**FILED**

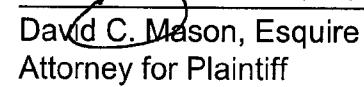
III 25 2001

William A. Shaw  
Prothonotary

4) Amount due \$ 38,747.16

Interest from March 28, 2001 \$

(Costs to be added) \$ 120.00

  
David C. Mason, Esquire  
Attorney for Plaintiff

FILED

11/25/2001  
019259474  
Cathy Mason  
William A. Shaw  
Prothonotary  
PA \$20.00

6. Writs Sheriff

RECEIVED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC., \*  
Plaintiff \* No. 2001-0607-CD  
vs. \*  
LAFFERTY TRUCKING COMPANY \*  
Defendant \*  
HOLLIDAYSBURG TRUST COMPANY \*  
Garnishee \*

WRIT OF EXECUTION

Commonwealth of Pennsylvania )

County of )

To the Sheriff of Clearfield County:

To satisfy the judgment, interest and costs against Lafferty Trucking Company, Defendant,

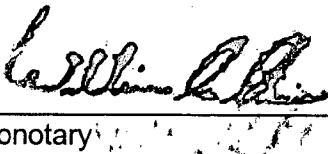
(I) You are directed to levy upon the property of the Defendant and to sell its interest therein;

Amount due \$ 38,747.16

Interest from March 28, 2001 \$

[Costs to be added] \$ 100.00

Total Due \$

  
\_\_\_\_\_  
Prothonotary

By: \_\_\_\_\_  
Deputy

**COPY**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC.,

\*

\* No. 2001-0607-CD

Plaintiff

\*

vs.

\*

\*

LAFFERTY TRUCKING COMPANY

\*

\*

Defendant

\*

\*

HOLLIDAYSBURG TRUST COMPANY \*

\*

\*

Garnishee

\*

WRIT OF EXECUTION

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

This law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC., \*  
Plaintiff \* No. 2001-0607-CD  
vs. \*  
\*  
LAFFERTY TRUCKING COMPANY \*  
\*  
Defendant \*  
\*  
\*  
HOLLIDAYSBURG TRUST COMPANY \*  
\*  
\*  
Garnishee \*

NOTICE OF ISSUANCE

OF

WRIT OF EXECUTION

TO: Hollidaysburg Trust Company  
3014 Pleasant Valley Boulevard  
Altoona, PA 16603

Kindly take notice that on the 25th day of July, 2001, upon  
Praecipe of the Attorney for the Plaintiff above named, the Court of Common Pleas of  
Clearfield County issued a Writ or Writs of Execution for satisfaction of the judgment  
entered to the above term and number.



Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

COPIED

J. J. POWELL, INC.,

Plaintiff

vs.

LAFFERTY TRUCKING COMPANY

Defendant

HOLLIDAYSBURG TRUST COMPANY

Garnishee

\*  
\* No. 2001-0607-CD  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

NOTICE OF ISSUANCE

OF

WRIT OF EXECUTION

TO: Lafferty Trucking Company  
3709 Beale Avenue  
Altoona, PA 16601

Kindly take notice that on the 25th day of July, 2001, upon  
Praecipe of the Attorney for the Plaintiff above named, the Court of Common Pleas of  
Clearfield County issued a Writ or Writs of Execution for satisfaction of the judgment  
entered to the above term and number.



Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC.,

Plaintiff

vs.

LAFFERTY TRUCKING COMPANY

Defendant

HOLLIDAYSBURG TRUST COMPANY

Garnishee

\*  
\* No. 2001-0607-CD

\*

\*

\*

\*

\*

\*

\*

WRIT OF EXECUTION

Commonwealth of Pennsylvania )

County of )

To the Sheriff of Clearfield County:

To satisfy the judgment, interest and costs against Lafferty Trucking Company, Defendant,

(I) You are directed to levy upon the property of the Defendant and to sell its interest therein;

Amount due \$ 38,747.16

Interest from March 28, 2001 \$

[Costs to be added] \$ 100.00

Total Due \$



RECEIVED

\_\_\_\_\_  
Prothonotary

JUL 25 2001

9:50 AM

By: \_\_\_\_\_  
Deputy

Chester A. Hawkins  
by Margaret W. Pitt

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**Sheriff Docket # 11297**

**JJ POWELL, INC. 01-607-CD**

**01-607-CD**

**VS.**

**LAFFERTY TRUCKING COMPANY 01-607-CD**

**WRIT OF EXECUTION      INTERROGATORIES TO GARNISHEE**

**SHERIFF RETURNS**

---

**NOW, JULY 25, 2001, SHERIFF LARRY D. FIELD, JR. OF BLAIR COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY, TO SERVE THE WITHIN WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE ON HOLLIDAYSBURG TRUST COMPANY, GARNISHEE.**

**NOW, AUGUST 2, 2001, SERVED THE WITHIN WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE ON HOLLIDAYSBURG TRUST COMPANY, GARNISHEE, BY DEPUTIZING THE SHERIFF OF BLAIR COUNTY . THE RETURN OF SHERIFF FIELD IS HERETO ATTACHED AND MADE PART OF THIS RETURN.**

**NOW, AUGUST 15, 2001, RETURN WRIT AS BEING SERVED. PAID COSTS FROM ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO THE ATTORNEY.**

**SHERIFF HAWKINS \$27.68  
SURCHARGE        \$10.00  
PAID BY ATTORNEY**

---

**FILED**  
012 38 60  
AUG 15 2001  
EAS  
William A. Shaw  
Prothonotary

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**Sheriff Docket # 11297**

**JJ POWELL, INC. 01-607-CD**

**01-607-CD**

**VS.**

**LAFFERTY TRUCKING COMPANY 01-607-CD**

**WRIT OF EXECUTION      INTERROGATORIES TO GARNISHEE**

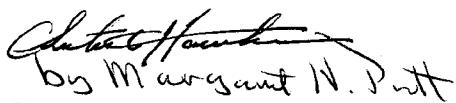
**SHERIFF RETURNS**

---

**Sworn to Before Me This**

15<sup>th</sup> Day Of August 2001

**So Answers,**

  
by Margaret N. Pitt

**Chester A. Hawkins**

**Sheriff**

**WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co. Clearfield, PA.**



SHERRIFF'S OFFICE  
Clearfield County

CLEARFIELD COUNTY FAX  
(814)765-5915

CHESTER A. HAWKINS  
SHERIFF

SUITE 116  
1 NORTH SECOND STREET - COURTHOUSE  
CLEARFIELD, PENNSYLVANIA 16830

DARLENE SHULTZ  
CHIEF DEPUTY  
MARGARET PUTT  
OFFICE MANAGER

MARILYN HAMM  
DEPT CLERK  
PETER F. SMITH  
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

J.J. POWELL, INC.

NO. 2001-0607-CD

VS

LAFFERTY TRUCKING COMPANY  
Defendant

ACTION: WRIT OF EXECUTION AND  
INTERROGATORIES TO GARNISHEE

HOLLIDAYSBURG TRUST COMPANY  
Garnishee

SERVE BY: ASAP

or

REMARKS/EXEMPTION

\*\*\*\*\*

SERVE: HOLLIDAYSBURG TRUST COMPANY

ADDRESS: 3014 PLEASANT VALLEY BOULEVARD  
ALTOONA, PA 16603

\*\*\*\*\*

Know all men by these presents, that I, CHESTER A. HAWKINS,  
HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby  
deputize the SHERIFF of BLAIR County to execute this writ.

This deputation being made at the request and risk of the plaintiff  
this 25th day of JULY 2001.

**CO<sup>PY</sup>**

Respectfully,  
*Chester A. Hawkins*  
by *M Margaret H. Putt*  
CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: DAVID C. MASON, ATTORNEY

DATE RECEIVED

DATE PROCESSED

1.90  
V.U

# SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

SHERIFF SERVICE  
PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV. #

1. PLAINTIFF / S /

J. J. Powell, Inc.

2. COURT NUMBER

60116-T 2001-000700

3. DEFENDANT / S /

Lafferty Trucking Co.

4. TYPE OF WRIT OR COMPLAINT

Writ of Execution

SERVE



5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.

Hollidaysburg Trust Co.

AT

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

3014 Pleasant Valley Blvd. Altoona Pa 16603

7. INDICATE UNUSUAL SERVICE:

 PERSONAL  PERSON IN CHARGE DEPUTIZE CERT. MAIL REGISTERED MAIL POSTED OTHER

NOW, \_\_\_\_\_, I, SHERIFF OF BLAIR COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

SHERIFF OF BLAIR COUNTY

Just Serve Interrogatories

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of:

Deputed by Clearfield Co. *Ok return*  PLAINTIFF  
 DEFENDANT

10. TELEPHONE NUMBER

814-765-5915

11. DATE

8-24-01

SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.

SIGNATURE of Authorized BCSD Deputy or Clerk and Title

Bonnie Schreiber

13. Date Received

7-31-01

14. Expiration/Hearing date

8-24-01

15. I hereby CERTIFY and RETURN that I  have personally served.  have served person in charge.  have legal evidence of service as shown in "Remarks" (on reverse)  have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by hand ing/or Posting a TRUE and ATTESTED COPY thereof.16.  I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

17. Name and title of individual served

Sandy Billotte, Customer S.S.

18. A person of suitable age and discretion then residing in the defendant's usual place of abode. Read Order 

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

*Sandy*  
S.

20. Date of Service

8-2-01

21. Time

0850

22. ATTEMPTS Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int.

23. Advance Costs

24.

25.

26.

27. Total Costs

28. COST DUE OR REFUND

150.00 Rec'd 1376

576.32.50 NOT 2.00

34.50

115.50 Ch # 1635

30. REMARKS

SO ANSWER.

AFFIRMED and subscribed to before me this

8th

By (Sheriff/Dep. Sheriff) (Please Print or Type)

day of

August, 2001

Notarial Seal  
Ostro, Greco, Notary Public  
1000 N. Main St., Blair County  
My Commission Expires Feb. 3, 2003

mhw/CS

Date  
8/2/01

MY COMMISSION EXPIRES FEB. 3, 2003 Member, Pennsylvania Association of Notaries

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE  
OF AUTHORIZED ISSUING AUTHORITY AND TITLE.

39. Date Received

## **SHERIFF'S RETURN OF SERVICE**

(1) The within \_\_\_\_\_ upon \_\_\_\_\_ the within named defendant by mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid \_\_\_\_\_ on the \_\_\_\_\_, a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_ defendant on the \_\_\_\_\_ is hereto attached and made part of this return.

(2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c), (1) (2), by mailing a true and attested copy thereof at \_\_\_\_\_ in the following manner.

(a) To the defendant by ( ) registered ( ) certified mail, return receipt requested, postage prepaid, addressee only on the \_\_\_\_\_, said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

(b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

(3) By publication in a daily publication of general circulation in the County of Blair Commonwealth of Pennsylvania. \_\_\_\_\_ time (s) with publication appearing \_\_\_\_\_

The affidavit from said publication is hereto attached.

(4) By mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid, on the \_\_\_\_\_ a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal Authorities marked \_\_\_\_\_ is hereto attached.

(5) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

WRIT OF EXECUTION

2001-067CD

J J Powell Inc

vs

Lafferty Trucking Co

SHERIFF'S RETURN

Now, August 2, 2001, at 9:30 am, Served the within

Garnishee upon the named defendant Hollidaysburg Trust Co

by reading and handing one true and attested copy thereof personally to

Sandy Billotte, Customer S. S.

at

3014 Pleasant Valley Blvd. Altoona, PA

and, at the

same time made known to her the contents there of.

So Answers,



Larry D. Field  
Sheriff of Blair County

RECEIPT FOR DISTRIBUTION OF ADVANCE PAYMENTS HELD IN ESCROW

Blair County Pennsylvania

Receipt Date 08/08/2001

Blair County Courthouse  
423 Allegheny Street

Receipt Time 10:59:54

Receipt No. 101430

JJ POWELL, INC (VS) LAFFERTY TRUCKING

Case Number 2001-60116 T  
Service Info 001 First Service  
Remarks Escrow Transfer Out

8/08/2001 Open

Advance Payment Balance	150.00	MASON LAW OFFICE
Total Amount Distributed	150.00	409 N FRONT ST
		PO BOX 28

Balance Remaining	.00	PHILIPSBURG PA 16866
-------------------	-----	----------------------

----- Distribution -----

Transaction Description	Amount	Payee
A-REFUND ADV COST	115.50	MASON LAW OFFICE
NOTARY FEES	2.00	NOTARY (CG)
SHERIFF FEES	32.50	COUNTY OF BLAIR
Total Amount Distributed	150.00	

**RECEIPT FOR PAYMENT**

---

Blair County Pennsylvania  
Blair County Courthouse  
423 Allegheny Street

Receipt Date 07/31/2001  
Receipt Time 09:57:29  
Receipt No. 101376

JJ POWELL, INC (VS) LAFFERTY TRUCKING

Case Number 2001-60116 T  
Service Info 001 7/31/2001 Open  
Remarks SERVING INTERROGATORIES  
HOLLIDAYSBURG TRUST COMPANY

Total Check...	+	150.00	Check No.	11914
Total Cash....	+	:00		
Cash Out.....	-	<u>:00</u>		
Receipt total.	=	150.00		

### Distribution Of Payment

Transaction Description	Payment Amount	
ADVANCE PAYMENT	150.00	MASON LAW OFFICE
	<hr/>	
	150.00	

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA .

CIVIL ACTION - LAW

J. J. POWELL, INC.,

Plaintiff

vs.

LAFFERTY TRUCKING COMPANY

Defendant

HOLLIDAYSBURG TRUST COMPANY

Garnishee

\*  
\* No. 2001-0607-CD

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**ANSWERS TO**

- \* Type of Pleading: Plaintiff's
- \* Interrogatories in Attachment to
- \* Garnishee
- \*
- \* Filed on Behalf of:
- \* Plaintiff
- \*
- \* Counsel of Record for Plaintiff:
- \* David C. Mason, Esq.
- \* MASON LAW OFFICE
- \* P. O. Box 28
- \* Philipsburg, PA 16866
- \* (814) 342-2240
- \*

**FILED**

AUG 23 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

J. J. POWELL, INC.,

\*  
\* No. 2001-0607-CD

Plaintiff

vs.

LAFFERTY TRUCKING COMPANY

\*  
\*

Defendant

\*  
\*

HOLLIDAYSBURG TRUST COMPANY

\*  
\*

Garnishee

\*

TO: Hollidaysburg Trust Company  
3014 Pleasant Valley Boulevard  
Altoona, PA 16603  
Garnishee

**ANSWERS TO  
INTERROGATORIES DIRECTED TO GARNISHEE**

**NOTICE**

PURSUANT TO PA. RULES OF CIVIL PROCEDURE NO. 3253, YOU ARE REQUIRED TO FILE ANSWERS TO THE FOLLOWING INTERROGATORIES WITHIN TWENTY (20) DAYS AFTER SERVICE UPON YOU. FAILURE TO DO SO MAY RESULT IN JUDGMENT AGAINST YOU.

1. At the time you were served or at any subsequent time did you owe the Defendant any money or were you liable to him on any negotiable or other written instrument or did he claim that you owed him any money or were liable to him for any reason? NO

2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the Defendant? Yes, three checking accounts.

#323993, balance \$16,962.60  
#332734, balance \$757.15  
#334596, balance \$1,668.29

3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or in part by the Defendant or in which the Defendant held or claimed any interest? NO

4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the Defendant had an interest? NO

5. At any time before or after you were served did the Defendant transfer or deliver any property to you or to any person or place pursuant to your direction or consent and if so what was the consideration therefor? NO

6. At any time after you were served did you pay, transfer or deliver any money or property to the Defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the Defendant against you? NO

MASON LAW OFFICE

DATED: July 25, 2001

By: David C. Mason

David C. Mason, Attorney for  
Plaintiff

STATE OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF CENTRE )

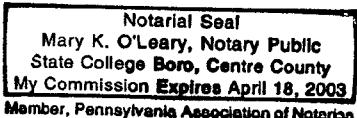
REBECCA S. DASHM, being duly sworn according to law, deposes and says that she is Customer Service Supervisor of Hollidaysburg Trust Company, the foregoing corporation; that she makes this affidavit on its behalf being authorized to do so; and that the facts set forth in the foregoing Answers to Interrogatories are true and correct to the best of her knowledge, information and belief.

Rebecca S. Dashem  
Rebecca S. Dashem

Rebecca S. Dashem

Sworn to and subscribed  
before me this 22nd day  
of August, 2001.

Mark O'Leary



CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2001, Terry J. Williams, Esq., Attorney for Garnishee Hollidaysburg Trust Company, served a copy of the foregoing Answers to Interrogatories by certified mail, return receipt requested, addressed as follows:

Lafferty Trucking Company  
3709 Beale Avenue  
Altoona, PA 16601-1317

and by regular mail addressed as follows:

David C. Mason, Esquire  
Attorney for Plaintiff  
Mason Law Office  
P.O. Box 28  
Philipsburg, PA 16866



---

Terry J. Williams, Esquire  
Miller, Kistler, Campbell, Miller,  
Williams & Benson, Inc.  
720 S. Atherton Street, Suite 201  
State College, PA 16801  
(814) 234-1500

FIL

AUG 23 2001

SEARCHED

INDEXED

FILED

William A. Noce

Prothonotary